

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY
OFFICIAL REPORT

Tuesday, 20th February, 2018

The House met at 2.32 p.m.

[The Speaker (Hon. (Mrs.) Mwangangi) in the Chair]

PRAYERS

Hon. Speaker: Hon. Members, good afternoon. There is a slight improvement from the presence in the morning; we will carry one with the business. Mr. Clerk, proceed.

PAPERS LAID

Hon. Speaker: Under this order we have two business; the first by Hon. Museku and the second by Hon. Kiilu. Hon. Museku.

AMENDMENTS TO STANDING ORDERS

Hon. Museku: Thank you, Madam Speaker. I beg to lay the following Paper on the Table of the House today, 20th February, 2018; the report of Procedure and house rules committee on amendments to Standing Orders. Thank you.

Hon. Speaker: Thank you, Hon. Museku. Hon. Daniel Kiilu.

CASA GAMES REPORT

Hon. Kiilu: Thank you. Madam Speaker, I beg to lay the following Paper on the Table of the Assembly today, 20th February, 2018; the report of education and social welfare committee on CASA games held in Machakos County. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kiilu. Mr. Clerk, proceed.

NOTICES OF MOTIONS

Hon. Speaker: Hon. Members, this order is as listed in the appendix; we have three businesses, first one by Hon. Museku, Second one by Hon. Kiilu and the third one by Hon. Kiteng'u. Hon. Museku.

AMENDMENTS TO STANDING ORDERS

Hon. Museku:

Madam Speaker, that aware that Standing Order 228 provides for periodic review of Standing Orders at least once in every term of Assembly, but not later than six months to the end of the term;

Further aware that Standing Orders are unique to the legislative body they govern and that legislative body is free to amend or repeal any rule and create new ones; Cognizant that the procedure and house rules committee is mandated to consider propose and report on all matters relating to the Standing Orders as provided in Standing Order 187;

Remembering that in September, 2017, the committee on selection tabled to this House a report whose one of the recommendations was to reinstate some committees which were removed by the Standing Orders following amendments done in May, 2017 by the First Assembly;

Informed that the main purpose of amending Standing Orders is to make suit well with the operations of the assembly;

Remembering that on 14th February, 2018, the committee of Procedure and House rules met and the substantive agenda was amendments to Standing Orders;

Madam Speaker, I wish to give notice of motion that this House discusses and approves the report of the committee of Procedure and House rules on amendments to Standing Orders.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Museku. Hon. Daniel Kiilu.

CASA GAMES REPORT

Hon. Kiilu:

Madam Speaker, that aware that sports and games are important in any society because they help to facilitate and promote the Kenyan society, whose values are harmonious and non-discriminatory for peaceful coexistence and reduces inter-ethnic conflicts, promotes equality, opportunities and good leadership;

Informed that the Kenya Inter-County Sports and Cultural Association (KICOSCA) and the County Assembly Sports Association (CASA) games are an annual event and the fifth edition took place in November, 2017, with a vision of promoting and sustaining sports and cultural activities for cities, counties and municipalities;

Madam Speaker, I would like to give notice of motion that this House discusses and approves the report of Education and social welfare committee on CASA games held in Machakos County.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kiilu. Hon. Kiteng'u.

SUSPENSION OF SAND HARVESTING IN KIVAA WARD

Hon. Kiteng'u: Thank you, Madam Speaker.

That aware sand harvesting, if not controlled and well managed, can lead to environmental degradation;

Aware that sand harvesting in Kivaa ward has led to deterioration of the environment and rivers as the removal of sand results to destruction of underground aquifers;

Further aware that most of the sand loaders are school dropouts hence affecting education standards in the community;

Aware that the trucks that carry the sand with time destroy the roads and bridges which have not been constructed to accommodate them;

Aware that the Article 42(b) of the Constitution states that every person has the right to clean and healthy environment which includes the right to have the environment protected for the benefit of present and future generation through legislative measures;

Acknowledging that the County Assembly enacted the Machakos County Sand Harvesting Act in 2014;

Aware that this Act provides for regulated sand harvesting activities and aware that section 28(1) of the Act provides that sand harvesting activities in a given site can be stopped if it appears that the site is in a condition dangerous to human life or detrimental to public health or safety;

Madam Speaker, I wish to give notice of the motion that this House resolves as follows;-

1. That the sand harvesting activities in Kivaa ward be suspended for a period of five years as they have led to environmental degradation and danger to human life and are detrimental to public health.
2. The County enforcement department, in collaboration with national law enforcing agencies, ensures that the suspension is implemented.
3. That the department of finance and revenue collection cancels sand transportation permits for any sand transporter who harvests sand from Kivaa ward during the period of suspension.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kiteng'u. Mr. Clerk, proceed.

MOTIONS

Hon. Speaker: Hon. Members, under this order we have two motions; the first one by Hon. Museku and the second one by Hon. Kiilu. Hon. Museku.

AMENDMENTS TO STANDING ORDERS

Hon. Museku: Madam Speaker;

That aware that Standing Order 228 provides for periodic review of Standing Orders at least once in every term of Assembly, but not later than six months to the end of the term;

Further aware that Standing Orders are unique to the legislative body they govern and that legislative body is free to amend or repeal any rule and create new ones; Cognizant that the procedure and house rules committee is mandated to consider propose and report on all matters relating to the Standing orders as provided in Standing Order 187;

Remembering that in September, 2017, the committee on selection tabled to this House a report whose one of the recommendations was to reinstate some committees which were removed from the standing orders following amendments done in May, 2017 by the First Assembly;

Informed that the main purpose of amending Standing Orders is to make suit well with the operations of the Assembly;

Remembering that on 14th February, 2018, the committee of Procedure and House rules met and the substantive agenda was amendments to Standing Orders;

Madam Speaker, I wish to move the motion that this Hon. House discusses and approves the report of the committee of Procedure and House rules on amendments to Standing Orders.

Thank you, Madam Speaker. I would request Hon. Constance to second my motion. Thank you.

Hon. Speaker: Thank you, Hon. Museku.

Hon. (Ms.) C. Nzioki: Thank you, Madam Speaker. I strongly second the motion as it is. Thank you.

Hon. Speaker: Thank you. Hon. Museku, proceed.

Hon. Museku: Hon. Members, I think you have with you the report from the Procedure and House rules committee on amendments to Standing Orders. It has the first page, the table of contents and I will go straight to the introduction.

Madam Speaker, Parliamentary procedure/rules is a body of rules, ethics and customs governing meetings and other operations of clubs, organizations, legislative bodies and other deliberative assemblies.

Standing Orders are the written rules under which a Parliament conducts its business. They regulate the way Hon. Members behave and how debates are organized in the Assembly. Standing Orders are unique to the legislative body they govern, and that legislative body is free to amend or repeal any rule, and create new ones.

Madam Speaker, Articles 124(1) and (2) of the Constitution mandates Parliament to establish committees for each House and joint committees for both Houses.

Further, Section 14(1)(a) and (b) of the County Governments Act, 2012 provides that;

- (a) A county assembly may make Standing Orders consistent with the Constitution and this Act regulating the procedure of the County Assembly including, in particular, orders for the proper conduct of proceedings.
- (b) Subject to Standing Orders made under paragraph (a), may establish committees in such manner and for such general or special purposes as it considers fit, and regulate the procedure of any committee so established.

Madam Speaker, Standing Order 226 provides that the Procedure and House Rules Committee may at any time propose amendments to these Standing Orders. Further, Standing Order 227(1) provides that for amendments to Standing Orders, a Member may, with the support of at least two other Members, request the Procedure and House Rules Committee to consider amendments to the Standing Orders.

Madam Speaker, Standing Order 227(3) and (4) states that ‘if the Speaker is satisfied that the requirements have been met, she may forward the request to the Procedure and House Rules Committee which shall, within twenty-one days of receipt of the request, consider the request and table a report in the Assembly containing the amendments proposed in the request and the recommendations of the Committee on each proposal.’

Madam Speaker, pursuant to Standing Order 227(5), the Assembly shall consider the proposed amendments to the Standing Orders as reported from the Procedure and House Rules Committee on a Motion that ‘the report of the Procedure and House Rules Committee be approved.’

Standing Order 228 provides for periodic review of Standing Orders where at least once in every term of the Assembly, not later than six months to the end of the term, the Procedure and House Rules Committee shall review the Standing Orders and make a report to the Assembly recommending the Standing Orders, if any, to be amended. The amendments to the Standing Orders, upon approval by the Assembly, take effect at the time appointed by the Assembly.

Madam Speaker, in May 2017, the Committee on Procedure and House Rules of the First County Assembly tabled a report before the House on amendments to Standing Orders whereby the Committees on Culture and Tourism and that of Youth, Women and Sports were all merged with Education and Social Welfare. Further, the Committee on Delegated Legislation had also been inadvertently omitted.

On 26th September, 2017, the Committee on Selection tabled a report to this House on nomination of Members to committees and among other recommendations recommended amendments to Standing Orders to capture committees like Youth, Women and Sports, Culture and Tourism and Delegated Legislation that were all terminated in the previous Assembly and are relevant to the running of the Assembly.

On 14th December, 2017, Hon. Tariq Mulatya wrote to the Speaker seeking amendments of Standing Orders to split the mandates of Committee on Environment to establish the committee on Water and Sanitation since the mandates of committee on Environment appeared to be too wide.

The Committee discussed on establishment of a General Oversight committee which shall be a committee of the Whole House to consider matters of invitation of County Executive Committee Members and response to Statements requested under Standing Order 41. The member was supported by Hon. Justus Kiteng’u and Hon. Peter Mutiso.

Madam Speaker, the Procedure and House Rules Committee is established pursuant to Standing Order 187 and is mandated to consider and report on all matters relating to the Standing Orders. The Committee may propose amendments to the Standing Orders and any such amendments shall upon approval by the Assembly, take effect at the time appointed by the Assembly.

This Committee comprises of the following Hon. Members;

1. Hon. Florence Mwangangi – Chairperson
2. Hon. Paul Museku – V/Chairperson
3. Hon. Constance Nzioki – Member
4. Hon. Jane Nyawira – Member

5. Hon. Paul Nyanzi

– Member

Madam Speaker, on 14th February, 2018, the committee on Procedure and House Rules met and the substantive agenda of the meeting was amendments to Standing Orders to include proposed new committees. This agenda was drawn from the report of the Committee on Selection on nomination of members to committees, that was tabled in the Assembly in September, 2017 recommending inclusion of some committees that were removed from the Standing Orders following amendments made in May, 2017.

The agenda was also drawn from proposals from Hon. Mulatya pursuant to Standing Order 227(1) that provides that ‘amendments to Standing Orders, a Member may, with the support of at least two other Members, request the Procedure and House Rules Committee to consider amendments to the Standing Orders.’

Madam Speaker, the Committees that were listed for discussion during the committee meeting were;

1. Delegated Legislation.
2. Youth, Women and Sports.
3. Education and Social Welfare.
4. Culture and Tourism.
5. Water and Sanitation.
6. General Oversight committee.

Madam Speaker, the Committee considered the proposals and recommended the following amendments;

Inclusion of Committee on Delegated Legislation

This committee is mandated to deal with scrutiny of statutory instruments and other laws to assess if they infringe the fundamental rights and if the provisions are constitutionally right. In the former Standing Orders that were amended in May, 2017, this committee featured as one of the Select Committees under Standing Order 189 but it was inadvertently omitted during the printing process. The Committee on Selection in their report recommended inclusion of this committee in the Standing Orders.

The committee considered the above recommendations and felt that Delegated Legislation is a vital committee that is mandated to consider statutory instruments that are submitted to the Assembly if they are in accordance with the Constitution and so recommended to have it included as one of the Select Committees.

Establishment of the Committee on Youth, Women and Sports

Madam Speaker, after amendments to Standing Orders done in May, 2017, the mandate of this committee was merged with that of Education and Social Welfare Committee. The committee, after thorough discussion, felt that needs of Youth, Women and Sports being merged with that of Education is misplaced and that its matters cannot be properly and exhaustively addressed.

(Applause)

The Committee, therefore recommended that the mandates that relate to Youth, Women and Sports be deleted from those of Education and Social Welfare and that an independent

committee titled Youth, Women and Sports be created in order to fully address related matters. This was also a recommendation of the Committee on Selection through their report tabled in September, 2017.

The mandate of this committee will be; to deal with all matters related to Youth welfare, women affairs, empowerment of women, matters of equality, affirmative action and gender related issues and sports activities and facilities.

The issue of talent building like acrobatics also came up in the discussion. Acrobatics is widely practiced nowadays and so many people are earning their living through this event of entertainment. The committee after discussion felt that acrobatics is a sporting activity and so it was recommended to be included in this committee on Youth, Women and Sports.

Amending the Title of the Committee on Education and Social Welfare

Madam Speaker, the committee considered the title of the Committee on Education and Social Welfare as provided in the Second Schedule of the Standing Orders. Social welfare involves provision of services to promote social justice amongst individuals and groups of individuals. It came out clear from the discussion of the committee that Social Welfare issue, do not properly relate to Education.

The committee, therefore recommended that the element of Social Welfare be deleted from the title of Education and Social Welfare and that, matters of social welfare be dealt with under the proposed committee on Culture and Tourism. The name of the proposed committee will therefore change to Culture, Social Welfare and Tourism.

Establishment of the Committee on Culture, Social Welfare and Tourism

Madam Speaker, in the current Standing Orders, matters related to Culture and Tourism form part of mandates of the committee on Education and Social welfare. In the view of the committee, there is a big disparity between Educational issues and those of Culture and Tourism. It is very important to appreciate our culture as a society as well as promoting tourism sector which in Kenya is one of the leading sources of foreign exchange.

The committee, after making the above consideration, recommended that Culture and Tourism be established as a separate committee so that cultural and tourism issues can be fully addressed. Further, the Committee on Selection had also proposed this amendment in its report on nomination of members to committees.

The issue of gambling machines which in the current Standing Orders form part of mandate of the committee on Education and Social Welfare was discussed. Members felt that gambling has highly affected many youths by making them not attend school in addition to making them lazy and irresponsible. The committee therefore resolved that matters of gambling machines be outlawed in the County.

The mandate of this committee on Culture, Social Welfare and Tourism will be to deal with all matters related to cultural activities, public entertainment and public amenities, including betting, lotteries, casinos, racing, liquor licensing, cinemas, video shows and hiring, libraries, national heritage, museums and cultural activities and facilities and county parks, beaches and recreation facilities and local tourism, culture; control of drugs and pornography; and annual animal control and welfare, including licensing of dogs and facilities for the accommodation, care and burial of animals.

(Applause)

Creation of Committee on Water and Sanitation

Madam Speaker, the proposal of establishing the committee on Water and Sanitation also came up during the discussion as presented by some Hon. Members pursuant to Standing Order 227(1) that mandates a member with support of two other members to forward proposals of amendments to Standing Orders to the committee on Procedure and House Rules. Matters of Water and Sanitation, in the current Standing Orders fall under the mandate of the Committee on Environment and Natural Resources.

The rationale of proposing creation of this new committee as said by the Hon. Members mentioned was that the mandate of Environment and Natural Resources is wide, where water forms part of the natural resources and so by lifting issues of water to a separate committee will make water issues to be well and exhaustively addressed.

The committee considered this proposal and felt that issues of water and sanitation alone cannot be sufficient to constitute mandates of a committee since the committee efforts will be underutilized. In line with this, the committee recommended that water and sanitation matters should remain as functions of the committee on Environment and Natural Resources as provided in the Second Schedule of the Standing Orders.

Establishment of General Oversight committee

Madam Speaker, this proposed Committee will be a committee of the whole House chaired by the Speaker or in her absence the Chairperson of Committees. The basis of this committee is provided for in Section 39(2)(b) of the County Governments Act, 2012 which mandates a committee to invite members of the County Executive Committee to provide information relating to the responsibilities of CECs.

This proposed Committee may invite to its meeting more than one member of the County Executive at ago so as to address matters affecting their offices which may be cross-cutting. The committee felt that it is a good idea to have this committee since it will be a committee of the whole House chaired by the Speaker hence the engagement is bound to be fruitful and this will improve the oversight role of the Assembly.

Amending Standing Order 27

Madam Speaker, Standing Order 27(1) states that 'unless the Speaker, for the convenience of the House otherwise directs, the House shall meet at 10.00 a.m. on Wednesday and at 2.30 p.m. on Tuesday, Wednesday, and Thursday, but more than one sitting may be directed during the same day.'

The Members felt that there is need to amend the title of Standing Order 27 that reads 'Hours of Meeting' to read 'Days and Hours of meeting.' This is because in the Standing Orders, days of meetings, which are Tuesday and Wednesday are mentioned but they are not included in the title. So by including the word 'Days' in the title will enhance clarity.

The Members deliberated on the meeting of 2.30 p.m. on Thursday felt that there is need to allocate committees more time to enable them enrich the House with business. In line with this, they proposed to shift the meeting of 2.30 p.m. on Thursday to 10.00 a.m. on Tuesday. The Hours of Sitting on Wednesday will remain as they are in the Standing Orders that is 10.00 a.m. and 2.30 p.m.

A Motion on this matter was also tabled in the House on Wednesday 14th February, 2018 at 10.00 a.m. by Hon. Alex Kamitu and seconded by Hon. Betty Nzioki. The motion was discussed

and approved by the House. This means that the House will be sitting at 10.00 a.m. on Tuesdays and Wednesdays and at 2.30 p.m. on Tuesdays and Wednesdays translating into four sittings in two sitting days.

Madam Speaker, the Committee on Procedure and House Rules wishes to acknowledge the office of the Speaker and that of the Clerk for facilitating the Committee to amend the Standing Orders to suit well the operations of the Assembly and in line with the Constitution. Credit also goes to the Members of the committee for their participation in the discussion of the proposed amendments and in preparation for this report.

It is therefore my pleasant duty and privilege to table before this Hon. House, the report on proposed amendments to Standing Orders for discussion and adoption. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you very much, Hon. Museku.

(Question proposed)

Hon. Members, I invite debate on that report.

Hon. Speaker: Hon. Katumo.

Hon. Katumo: Madam Speaker, thank you for catching your eye. I stand as a voice for persons with disabilities in Machakos County and by extension marginalized groups in this county. I stand to support this report; periodically according to our standing orders we have the opportunity to amend the Standing Orders so that we can align ourselves as per the business of the time.

I thank the chairperson and committee for the good work and for the effort that they have done to come up with these committees and they have done a good job. But going through the report, it is not disabled-friendly, it is not inclusive because you go through I have been finding to see persons with disabilities or anything like that with that synonym, it is not there.

Now, Madam Speaker, even the composition or the membership of this committee, my understanding, the back ground I am drawing from, is that even the composition here, membership here is of course the chairperson is the Speaker,

Hon. Museku is the vice chair

Hon. Constance Nzioki

Hon. Jane Nyawira

Hon. Paul Nyanzi.

Why am I reading this? It is not with malice, but when you have a composition like this, matters of the disabled will escape the committee.

(Applause)

According to Article 54(2) of our constitution, inclusion is the key for county governance. Now, if we start including from the same House where we are supposed to embrace that inclusivity, equity and inclusiveness, then we will be failing.

Now, if you look at this committee, composition delegated legislation, youth, women and sports, education social welfare, culture tourism blah blah, you feel, myself as a member of this House, Hon. Jacinta, Hon. Mwikali have been bringing laws, Bills in this House; where do we refer them to? Where do we refer them to?

The same scenario happened in the First Assembly and when I brought a Bill which is an act, committee said to be changed for me to be included somewhere for that legislation to find its place in the floor of the House. And therefore we should not make mistakes when we are doing this; when we say we should work together and we should work for our people, when I find my constituency is not here, I feel wasted.

I really feel wasted because and of course I really don't understand. I fail to understand, honorable Hon. Members are forwarding names of their residents, who are disabled, to me and when it comes to, of course, forming a committee to take care of their needs---

Hon. Speaker: Point of order, Hon. Katumo. Hon. Ngunga.

Hon. Ngunga: Thank you, Madam Speaker. Good afternoon. I think Madam Speaker, I stand to correct the member on the floor that the issues that he is raising are actually very pertinent, it is true but I think they are not relevant to this report. How I wish he could raise those issues with the chairman of selection committee where Mheshimiwa Katumo you will be apportioned a position. Thank you, Madam Speaker.

Hon. Speaker: Hon. Katumo, are you guided?

Hon. Katumo: I am not really guided.

Hon. Speaker: Proceed.

Hon. Katumo: Because I am just giving my contribution towards this report, isn't it? Therefore, when you say I am irrelevant to what the substance I am giving in the floor of this House, it is not very true.

Hon. Speaker: The point, Hon. Katumo, let me also clarify; the point is on the composition of the committee on procedure and house rules. The business at hand is not about forming of committees; it is about adopting or discussing the report from that committee.

The first aspect when you said at this and the issues of the disabled are not addressed by the various committees recommended, that is spot on; that is relevant. But when you come to the composition of the committee that is not relevant because we are not forming the committee now, are we together. Thank you.

Hon. Katumo: Well guided. Actually, Madam Speaker, well-guided. I did not get what you were saying, Majority Leader, I have gotten it. Actually, I am not referring to the composition; I am referring to the various committees that have been formed that we are discussing in this report and why am I saying this? I want this point to get home. That, for example, we have youth and women and these are the marginalized, isn't it? Then why are you leaving persons with disabilities here and put sports and things like that. This is the question I am trying to put across.

Hon. Speaker: Hon. Minority Leader has point of information.

Hon. Kamitu: Madam Speaker, point of information in regard to Hon. Katumo is a question of discussion. I thought, maybe where Hon. Katumo is referring to the disabled, they should come under education and social welfare because these are areas where disabilities issues should be discussed in regard to social welfare. So, there is nothing which has been omitted. Thank you, Madam Speaker.

Hon. Speaker: Hon. Katumo, can you proceed?

Hon. Katumo: Yes, but I want to challenge that. Why should we come to social welfare? We should not see disabled as social welfare; we are talking about marginalized groups here. The people who are nominated to this House here to represent a certain constituency, isn't it. So, when you put us in social welfare, it is as if you are saying they are things---

Hon. Speaker: Hon. Katumo, would it be better, would your point be driven home better if you proposed an amendment to the report because you have that opportunity now. Yes.

Hon. Katumo: Thank you, Madam Speaker. I felt agitated when always you are excluded and I am here I don't feel so..... The report is good but I want to come up with an amendment to this report and especially in the committees that were listed for discussion. In the committee of youth women and sports, I would rather suggest an amendment so that it may read, youth, women, persons with disabilities and sports.

(Applause)

Hon. Speaker: I am also being notified if you look at the Standing Orders as they are, the aspect on education and social welfare, page 107 of our Standing Orders, the way it is now, The committee on education and social welfare is given a wide mandate, and one of it is to look into the interest of persons living with disabilities and gender-related issues and sports.

But remember, in the proposal, this committee has said social welfare be removed from education, and just the way the mandate is described under social; welfare it be brought now under culture social welfare and tourism. So, it is a matter of agreeing where best do we place that but it is not omitted. Hon. Mwikali, Hon. Katumo is still on his feet.

Hon. Katumo: Yes I am still on the floor. Madam Speaker, I think you will allow me to really allow me to move this amendment the way you want it to be and I will be very much pleased. That, we amend this committee for Youth, Women and Sports to read Youth, Women,

Persons with Disabilities and Sports. Why am I saying that? Because on the welfare part, we are still talking of gender and issues of disability. Now to be very clear, of course for a committee to handle and to deal to have a mandate to deal with issues concerning persons with disabilities, it would be well home when we have a committee that directly has a mandate to deal with those issues not as welfare issues.

Now, why am I saying that? Because we have an Act in place that supports to establish something and therefore this Act would fall squarely on this particular committee and other related laws? Thank you, Madam Speaker.

Hon. Speaker: Thank you Hon. Katumo. There is a proposal to amend the report. Hon. Katumo, do you have a seconder to that proposal?

Hon. Katumo: Yes, I have Hon. Mwikali.

Hon. (Ms.) Mwikali: Madam Speaker, I am a person living with disability and I wish to second very strongly because, Madam Speaker, there is nothing without a name and this House would not miss anything if it added in very broad and bold words and letters that this committee would be inclusive of youth, women, persons with disabilities (PWDs) and sports.

Madam Speaker, you know this is a constituency that should be well recognized, well included in the constitution and very well represented in the Hon. House. Members, I wish to move this amendment and second Mheshimiwa Katumo strongly. Thank you.

(Question of amendment proposed)

Hon. Speaker: Can we ventilate on that issue Hon. Members by some debate. Hon. Muthoka.

Hon. Muthoka: Thank you, Madam Speaker. I oppose because now we should not have committees which have duplication of duties. We have education, social welfare, then it is handling the issue of disability, then again we bring it to other committee. So, the mandate you will find we are affecting that in a devolution committee because now these committee are sharing the same work. I think it is better the issue of disability remains in social welfare. Thank you

Hon. Speaker: Hon. Members, I put the question.

(Question of amendment put and agreed to)

(Applause)

Hon. Speaker: Hon. Katumo, you had finished your submissions, your debate. Hon. Majority Leader, wait a moment. Hon. Ndawa.

Hon. Ndawa: Thank you, Madam Speaker. I want to take this opportunity to thank the committee which brought this wonderful report to this House. In fact, they have done a commendable job. Before they sat down to come up with the report, they had realized that there

are gaps which need to be sealed. When we talk of gaps, we talk of problems, and we know Madam Speaker there are procedures and there is a process of solving a problem and if I can go very fast.

Process number one, hostage number one is to identify the problem which I believe the committee identified. Number two is to analyze the problem or the gaps and they were analyzed from there Madam Speaker, alternatives are proposed and whoever is solving the problem will take time to analyze the alternative and if possible allocate weight, then from the weight he/she will be able to select the most appropriate alternatives which has least negative impact.

Madam speaker, the work which has been brought here is well done, there are committees which you had proposed, but when it comes to the issue of allocating weights, Madam Speaker, the issue concerning water and sanitation, is the weight docket.

Water is life, water is a right. In our constitution, Article 43(1)(d) provides water as a right of the Mwananchi. The government of the day whether national or county government has a duty and obligation to give Mwananchi clean, safe and adequate water. In fact the constitution is very clear it says in adequate quantities, so if one wants to consume 20 litres, the constitution is very clear and it gives that way.

So, Madam Speaker, I am of the view that taking that water is life and also is a right in the constitution, I feel that water and sanitation should have its own committee, it should not be merged with another committee. Environment committee has a lot of work and when we say we let that docket remain in that committee, it means that the committee will never have enough time to deal with issues of pollution, issues of destruction and also have time to see whether people of Matuu have clean and safe water.

Madam Speaker, I am requesting, and I am urging this Hon. House to consider forming a committee purely on water and sanitation. With those few remarks, I beg to stop there and thank you very much, Madam Speaker.

Hon. Speaker: Hon. Ndawa, what you are saying is that you wish to have this report amended?

Hon. Ndawa: Okay. I stand to be guided on page 10---

Hon. Speaker: Hon. Ndawa let me guide you a little. The committee's view was that, currently, we have the committee on water, sanitation, environmental resources and so on, natural resources and environment together and there was a proposal that sanitation and water be de-linked from that big committee and what I am reading from you is that you would wish to have a committee on water and sanitation on its own, separate from environment and natural resources. That is what you are proposing?

Hon. Ndawa: Thank you. It is a proposal; you know when you are communicating Madam Speaker, the posture, the movement of the eyes and the movement of the body language can contradict what the Speaker is trying to say. Whatever I have in my report here, page 6, it says the committee considered this proposal and felt that the issue of water and sanitation along cannot be sufficient to constitute mandate of committee since the committee effort will be underutilized.

Hon. Speaker: Hon. Ndawa, I must congratulate you; you are very alert. Most of the members appear to be resting the eyes. It is true the committee recommended that we should remain matters as they are so that we don't have a committee on water and sanitation alone and he is saying because of the importance of the resource, that is water, we must have a committee on water and sanitation separate from a committee on environment and natural resources; that is what he is saying.

So what infect Hon. Ndawa is doing is doing is to propose an amendment to the report. Do you have a seconder to the proposal?

Hon. Ndawa: Thank you, Madam Speaker. I would request Hon. Mitaa to second me.

(Laughter)

Hon. Speaker: You have to be very careful Hon. Mitaa might wake up and say that he is not supporting you, but let us hear what he has to say. Hon. Mitaa

Hon. Mitaa: Thank you, Madam Speaker. Indeed, I support that amendment because to me water is a bit weighty and in every meeting we hold, we must talk about water and how we can help our people to access water easily. So, I support that amendment a 100 percent.

Hon. Speaker: Thank you, Hon. Mitaa, I am looking for the clause on water and sanitation.

(Question of amendment proposed)

Hon. Members, can we ventilate on that proposal for amendment, can we debate on it, Hon. Mwikali.

Hon. (Ms.) Mwikali: Madam Speaker, I am just trying to ventilate by asking myself two questions. When we are forming these committees, what exactly do we depend on? Madam Speaker, I believe that each committee is enjoined to a Chief Officer or a CEC member in the parent department.

In this case, I am just wondering very loudly, how we are going to be forming a committee under the environmental department, according to me that is a layman's language and have it separate that environment, water and sanitation be divided. It is just like dividing a child into two or three parts yet the mother is only one and is able to feed all of them. Then the constitution should just be guiding us, if there is no CEC member for water alone, how are we going to be working as a committee of the whole House.

Thank you. I don't know how maybe I should be guided by the Hon. House Madam Speaker.

Hon. Speaker: Thank you, Hon. Mwikali. Hon. Francis Ngunga

Hon. Ngunga: Thank you, Madam Speaker, thank you Hon. Members. I think I also stand to probably add my voice to what Hon. Mwikali is saying that, Madam Speaker, it is

important that we also look at the performance of a committee and how best this House would be able to discharge their mandate.

As she put it, Madam Speaker, you are aware that we are not likely to have a department in the county executive that deals with water and sanitation alone and again I am just looking at the chairman of environment, wondering whether he is really overwhelmed by the combination of water, sanitation and environment in his docket so much, so that water and water issues and sanitation can be separated.

But it is my opinion, Madam Speaker, that the docket of water and sanitation is purely in the department of Environment. So, if we pick it, we ran a risk of two committees doing oversight on one department and that is the danger. I am foreseeing, Madam Speaker, I don't know how that is going to be cured if we have these two committees; the committee of water and sanitation and the committee on environment doing oversight on one CEC. Thank you, Madam Speaker.

Hon. Speaker: Thank you Hon. Ngunga. Hon. Kisini

Hon. Kisini: Thank you, Madam Speaker. I also want to add my voice on this debate and say that, I want to say that the committee which set and which came up with that procedure, we divide and then it said that it is not good to divide it again saw that dividing this committee into two will not serve any purpose.

I want to assure the House that I and my members are equal to the task and there is no cause of alarm and we will be able to deliberate and we have never failed in any matter which was referred to us. So, let the *status quo* remain.

(Laughter)

Hon. Speaker: Thank you Hon. Kisini. Hon. Nziva.

Hon. (Ms.) Nziva: Thank you Madam Speaker and the Hon. Members present. I am also supporting previous contributors who have said environment, energy and natural resources should lie where water is because water is a natural resource.

(Applause)

There is no need of separating water and sanitation and environment, natural resources. I am a member of that environment committee and we have an able chairman and able members who are up to the task. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Nziva.

(Question on amendment put and agreed to)

Hon. Speaker: Hon. Members, we proceed and conclude this debate. Hon. Francis Ngunga.

Hon. Ngunga: Thank you, Madam Speaker. Let me congratulate the committee on procedure and House Rules committee for supporting our proposal as a selection committee. Madam Speaker, when we came to this House when we were new, we realized that a few committees had been left out and that in discharge of our mandate, it was going to be a challenge if those committees were not formed.

So, Madam Speaker, I stand here on behalf of the committee on selection to thank your committee that we steered and saw the importance of forming these committees. So, this afternoon Madam Speaker, I am very happy because you kept your promise that very soon these committees were going to be formed. I am seeing the proposal that this committee on procedure came up with about the committee on general oversight committee, that committee of the full house.

Madam Speaker, this is a very important committee, knowing that these members here represent different communities, different wards, and quite often we have summoned CECs here and some members have been left out wondering what was the issues that were raised. I find it very important so that at times of the county concern when members summon CECs all of us are here and so I find this committee very important and a very wise idea.

The committee on delegated legislation, Madam Speaker, again is a committee that has been missing in our operations. You realize the rules or the Bills that we make here must be in conformity with the national laws. There are times that we lack where to take the laws in consultation.

So, Madam Speaker, with the committee on delegated legislation coming to place, it is a plus for Machakos County Assembly and I want to echo again that this was a very wonderful job done. Hon. Katumo, the issue that he has raised about youth, women and sports and people living with disabilities is again another plus and so, Madam Speaker, I am standing here to say urging this House to consider approving this report so that you also give us time as committee on selection we move and apportion members to this committee and we start business as quickly as possible.

I also want to take this opportunity to assure members we shall be very considerate. We shall be very fair in apportioning members to these committees as we have always done. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Hon. Members, I know put the question.

(Question put and agreed to)

Hon. Kiilu.

CASA GAMES REPORT

Hon. Kiilu: Thank you.

Madam Speaker, that aware that sports and games are important in any society because they help to facilitate and promote a Kenyan society whose values are harmonious and non-discriminatory for peaceful co-existence and also reduces inter-ethnic conflicts, promote equality of opportunities and good leadership and

also informed that the Kenya inter-county sports and cultural association and the county sports association (KICOSCA/CASA) games are an annual event and the 5th edition took place in November, 2017 with a vision of promoting and sustaining sports and cultural activities for cities, counties and municipalities, Madam Speaker, I wish to move the motion that this House discusses and approve the report of education and social welfare committee on CASA games held in Machakos.

Thank you, Madam Speaker. I hereby request Mheshimiwa Alice to second the motion.

Hon. Speaker: Thank you, Hon. Kiilu. Hon. Alice.

Hon. (Ms.) Nzioka: Asanti Bi. Spika kwa kunipa nafasi. Nimesimama kuunga mkono ripoti ambayo imeletwa na mwenyekiti wa kamati ya elimu. Ni ripoti nzuri; mimi ni mwana kamati katika kamati hiyo. Ripoti yenyewe ni ripoti nzuri na naomba wabunge wenzangu muipitishie kwa ajili ya kamati yetu na bunge lote kwa jumla. Asante.

Hon. Speaker: Thank you, Hon. Alice. Hon. Kiilu, proceed.

Hon. Kiilu: Okay. Thank you. Hoping that all of you have this handout, on page two we have the abbreviations, on page three, we have the table of contents then on Madam Speaker, on page four.

Madam Speaker, on behalf of the sectoral committee on Education and Social Welfare and pursuant to the provisions of Standing Order 190(5) of the Machakos County Assembly, it is my pleasure and duty to present the committee's recommendations on the KICOSCA/CASA games.

The Committee on Education and Social Welfare derives its mandate from Standing Order 190 which mandates the committee to handle all matters related to pre-primary education, village polytechnics, home craft centers and childcare, children, social welfare, all matters related to cultural activities; public entertainment; and public amenities including betting, lotteries and casinos and other forms of gambling; racing, liquor and liquor licensing, cinemas, videos shows and hiring, libraries, national heritage, museums, cultural activities and facilities, county parks, beaches and recreation facilities, control of drugs and pornography; youth welfare; women affairs; empowerment of women, matters of equality, affirmative action, persons with disability, gender related issues and sports activities and facilities.

Madam Speaker, the terms of reference include;

- i. To table a report on the recently held KICOSCA/CASA games in Machakos County.
- ii. To recommend on how the future Kicosca games can be improved.

The Sectoral Committee on Education and Social Welfare comprises of the following Members:

- | | | |
|----|------------------------------|-----------------|
| 1. | Hon. Daniel Kiilu | - Chairperson |
| 2. | Hon. Ikusya Kaloki | - V/Chairperson |
| 3. | Hon. (Ms.) Jane Nyawira | -Members |
| 4. | Hon. (Ms.) Phoebe Koki | “ |
| 5. | Hon. Geoffrey Kamulu | “ |
| 6. | Hon. (Ms.) Benedette Musyoka | “ |

- | | |
|---------------------------------|---|
| 7. Hon. Joseph Musau | “ |
| 8. Hon. Francis Ngunga | “ |
| 9. Hon. (Ms.) Alice Nzioka | “ |
| 10. Hon. George Kingo’ri | “ |
| 11. Hon. (Ms.) Hellen Ndeti | “ |
| 12. Hon. (Ms.) Angela Munyasya | “ |
| 13. Hon. (Ms.) Margaret Ndalana | “ |

Madam Speaker, the 5th Edition of the Kenya Inter-County Sports and Cultural Association and the County Assemblies Sport Association (KICOSCA/CASA) kicked off on Monday 20th November, 2017 with 35 Counties participating in the 5th inter-county games which were held in the Machakos County.

The year's festival was set to serve as a platform to select Team Kenya which was to represent Kenya in East Africa Local Authorities sports and Cultural Association (EALASCA) Games which were to be held in Kampala, Uganda.

Madam Speaker, the competition that was initially referred to as the Kenya Inter Municipalities Sports and Cultural Association (KIMSCA) Games was started in 1978 and has served under the same banner until the endorsement of the New Constitution in 2010 which paved way for the development of the County Governments hence the name KICOSCA.

Madam Speaker, the Kenya Inter-County Sports and Cultural Association (KICOSCA) has a vision which is to promote and sustain sports and cultural activities for cities, counties and 6 municipalities. The mission is to mobilize, sensitize and provide direction to cities, counties and municipalities to actively participate in Kenya and the region.

Madam Speaker, the games were categorized into three groups which included the KICOSCA, CASA and SENATE. CASA games constituted of the Members of County Assemblies and the Staff, with Mr. Peter Anyule Imwatok as the Chairman and Hon. Daniel Kiilu the Vice Chairperson. KICOSCA constituted of the Executive arm of the Government, with Mr. Samsom Chagwony as the chairman and the Kenya Parliament (SENATE).

Madam Speaker, the games that brought together all the County Government staff and Members of County Assemblies, included both outdoor and indoor games. These were categorized under various disciplines as shown below:

KICOSCA DISCIPLINES

CASA DISCIPLINES

SENATE DISCIPLINES

KICOSCA DISCIPLINES

In Kicosca games, Madam Speaker, Nairobi County Government emerged winners with 35 points. Nakuru took second position with 19 points with Kisumu and Uasin Gishu following in the third and fourth positions with 16 and 13 points respectively.

CASA DISCIPLINES

Madam Speaker, CASA is an association that organizes games for Members of the County Assemblies and officers of the Assembly of the 47 Counties. The discipline for participation required that 70 per cent of the participants to be Members of the County Assembly and the remaining 30 per cent the Members of the staff.

The disciplines for CASA games included the following; Football, Netball, Volley ball (Men and women), Pool, Darts (Men and Women), Table Tennis, Athletics, Tug of War (Men and Women) Cultural Dances and Tri-cycling.

In County Assembly Sports Association category, Nairobi County Assembly emerged the winners with 10 points while Kericho and Kisumu tied in second position with eight points each and Bungoma County managed third position with six points.

Madam Speaker, the Machakos County Assembly took part and participated in different CASA disciplines which saw them bring victory home. Both Members of County Assembly and staff members, with determination, represented the County Assembly in different fields which included Folk song, Darts, Traditional Dance, Athletics, Football, and Netball, Tug of war, Pool and they brought home several trophies.

TEAM RESULTS, CHALLENGES FACED AND THE WAY FORWARD

Volleyball Team

Madam Speaker, the team managed to make a considerable winning step through the preliminaries up to pre-quarter. This was actually a notable step in the just-concluded games as this was the first time for the County Assembly of Machakos volleyball team to reach such a level irrespective of the various challenges encountered as beginners.

Challenges faced by that team of volleyball

- i. The team faced lack of training facilities; requisite facilities like balls and the net were supplied on the actual competition commencement day, in the morning. The team had not been meeting for training and they only meet in the field for competition unprepared.
- ii. Lack of training and coordination; owing to the challenge in (i) above, there was absolutely no training offered to the team which negatively impacted on their performance thus losing games which the team could have easily won.
- iii. Low team motivation; the only motivation the team had was just passion for the ball and representing the institution during this major event but the players would spend the whole day on water and glucose only and in lucky days, a packet of milk for lunch.

Way forward as discussed

- i. Since the Assembly team has the necessary volleyball paraphernalia, the team would appreciate if the Assembly management would make an arrangement for the pitch near the Machakos Law courtyards where staff and Members of County Assembly can train after work without having to walk very far to practice. This will boost their skills and commitment to the game.
- ii. As learnt from the winners of the just ended games, a coach/ trainer will be of much importance in coordinating and instilling necessary skills to players therefore the participants would wish that as they approach the next edition of these games, the institution facilitates a coach to be with the team not only during training but also in competition to avoid irregular game play.
- iii. Motivation will strengthen the team morale and winning would be inevitable.

CULTURAL DANCE (FOLK SONG, BORROWED AND TRADITIONAL DANCE)

Madam Speaker, the County Assembly Cultural dancers managed position 1 in cultural dance, position 2 in borrowed dance and position 3 in folk song. The cultural dance qualified to proceed for EALASCA games in Kampala, Uganda in 10th to 16th December, 2017.

Challenges**However group faced some challenges as follows**

- i. Inadequate practice due to lack of enough time.
- ii. Limited facilitation with water during practice.
- iii. The team was not adequately facilitated with attire for performing during the competitions.
- iv. Lack of facilitation of the allowances for the participants.

Way forward

- i. The County Assembly management to accord participants' adequate time once in a week within working hours to prepare thoroughly.
- ii. Provision of water and glucose to the participants during practice.
- iii. The allowance to be paid on time to avoid frustration of the participants during the games.

NET BALL

Madam Speaker, the team managed to go up to the quarter finals.

Challenges

- i. Lack of the required equipment.
- ii. Lack of a trainer.
- iii. Lack of allowances. The team players had to participate without any thing to put in their mouth.
- iv. Lack of water and glucose during practice.

Way forward or our suggestion to cure that problem

- i. The team be provided with the necessary netball paraphernalia.
- ii. Allocation of adequate time for practice.
- iii. The County Assembly to create room for friendly matches with other professional teams before the games in order to build the confidence of the participants.
- iv. The team be provided with an experienced trainer.

TUG OF WAR (Men and Women)

The both teams managed to reach quarter finals.

Challenges

- i. The uniform issued were both undersized and oversized thus a challenge when in the field.
- ii. The uniforms were of poor quality.
- iii. There was poor coordination with CASA/KICOSCA officials.
- iv. Lack of enough water and glucose during practice and competition days.

- v. Lack of a first aid kit.
- vi. Players participating in many disciplines leading to confusion during the competition day.
- vii. Both men and women went for competition without knowledge on how to compete due to lack of a trainer.

ATHLETICS

The Athletics team had 10 participants who competed in different races and managed to perform as follows: Please correct on that.

100m (Men and Women)	-position 3 and 4
200m (w)	-position 2 and 3
400 m (W)	-position 1
400 m (m)	-position 1
800 m (m)	-position 1
4x100 m relay men	-position 1
4x100 m relay women	-position 3
4x400 m relay men	-position 1

Challenges

- i. Time allocated for practice was limited.
- ii. Lack of water during practice.
- iii. Financial issues in terms of allowances.

Way forward

- i. The County Assembly management to create time for practice.
- ii. Provision of refreshment during practice and competition day.
- iii. Allowances be paid on time to avoid financial strain by the participants during the competition day.

POOL TABLE

The pool table team managed to reach quarter finals.

Challenges

- i. Lack of proper equipment for practice and thus the participants had to practice from clubs.
- ii. Some players participated in more than one discipline hence posing a challenge of missing the game when several disciplines took place at the same time.
- iii. Lack of facilitation of allowances to the participants to meet their needs during the games.

Way forward

- i. Players should identify one discipline to practice in so as to have ample time to participate in the games.
- ii. Payment of allowances be done on time so as to enable participants meet their need during the games.
- iii. The poll table at the Assembly premises be maintained and also be availed during practice to avoid inconveniences of practicing in clubs.

DARTS

Madam Speaker the team participated in two games and they managed position 15 out of 32 Counties which participated after ranking.

Challenges

- i. Most of the team members had not done adequate practice hence the poor performance.
- ii. Poor coordination between the team and CASA officials.
- iii. Lack of facilitation which demoralized the participants.
- iv. Refreshments and water during the competitions were hardly available for participants.

Way forward

- i. The darts table be availed nearby for easier access and more practice.
- ii. A coach to be engaged in future to train the team since most of the team members were not conversant with the rules of the game.
- iii. Continuous practice in preparation for the next games.
- iv. Consultations ought to be done before the procurement of the equipment and uniforms. This will ensure that the right quality of equipment's and uniforms are procured.
- v. Timely facilitation should be considered to increase the morale of the participants and their performance.

TRI-CYCLING

Madam Speaker, the Hon. Members didn't participate in this event because the tricycles were not in good condition. I want to admit that it was a shame to the chairperson when these people, the three of them did not participate. Actually, I apologized.

Way forward

Purchase of tri-cycles and ensure regular and proper maintenance of the same and I would like to add something there Madam Speaker, and they be stored safely. Most of the times you would find them just under the sun outside somewhere.

TABLE TENNIS

Madam Speaker, this discipline attracted 16 County Assemblies as well as the defending champions, the Senate making the total teams in contention 17. The overall winners were Kakamenga County Assembly while the runners-up were Baringo County Assembly.

The Machakos team reached the semi-finals for the first time but lost to eventual winners Kakamenga and again lost to Senate in the third-place playoff. The Machakos County Assembly

team was third in performance of County Assemblies but fourth overall because Senate emerged third within the participating teams.

Challenges

- i. The Assembly had not provided the table for practice. The team had to train at Zeroes Resort where the table is placed outside yet table tennis is an indoor game. The table surface is rugged and wind would normally affect practice sessions negatively. Members had to buy a drink or food to enable them access the table thus incurring personal costs.
- ii. Lack of proper equipment for practice that is tennis table and rackets during the training.
- iii. Very low quality equipment was provided on the competition day. Participants had no time to get accustomed to their weight. They were not padded and are one-star bats that affect style of play negatively.
- iv. The team had to borrow bats from Kiambu County because they had only one personal three-star Stiga bat.
- v. Officiating was not done by Kenya Table Tennis Association (KTTA) umpires resulting in lack of strict adherence of rules of the game.
- vi. Players could not be ascertained whether they are bona-fide employees of County Assemblies.

Way Forward

- i. The Assembly Management should plan to purchase a table tennis table. Either Stiga or Joorex which are the recommended brands.
- ii. Early provision of required equipment like five-star, short handle bats/rackets for training so that players are accustomed to the equipment early enough before the completion. Best brands are Stiga, Joorex or Dunlop.
- iii. The Assembly Management should source a trainer from Kenya Table Tennis Association (KTTA).
- iv. Future officiating should be done by KTTA umpires just the way it was in 2016 in Kiambu County.
- v. Procurement of table tennis gear should be done in consultation with the team captain.

The Summary of performance by the teams were as follows:-

s/n	Discipline	Level attained
1	Dances	Traditional dance – position 1
		Borrowed Dance – position 2
		Folk song – position 3
2	Football	quarter finals
3	Netball	Semifinals
4	Volleyball	Quarter finals
5	Table Tennis	Semifinals
6	Darts	Quarter finals
7	Pool Table	Quarter finals
8	Tricycling	Did not participate
9	Tug of war – (men and women)	Quarter finals

10	Athletics	400 m (women)	position 1
		400(men)	position 1
		800m(men)	position 1
		4by100 M relay(men)	position 1
		4by400 m relay(men)	position 1
		100m (men)	position 3 and 5
		100m (women)	position 3and 5
		200m (women)	Position 2 and 3
		4by100relay (women)	position 3

FINDINGS AND RECOMMENDATIONS:

The committee made the following observations:-

- i. That most of the County Assembly teams had gone a step ahead in preparation of the games by engaging the best trainers to train their teams.
- ii. The Assembly staff and Honorable members were highly inconvenienced by the procurement office as it did not provide the uniforms and the games equipment on time.
- iii. There was delay in payments of per Diem allowances where some participants had to go without their basic needs.
- iv. The Machakos County Assembly teams were not motivated since there was no support from other members of staff and Hon. Members who were not participating.
- v. There was Communication breakdown where participants didn't know when and where they were to perform.
- vi. There was delay in delivery of uniform hence participants didn't attend parade as the uniform was delivered late.

RECOMMENDATIONS

Madam Speaker, Based on the findings and Observations, the Committee makes the following recommendations:

- i. That the County Assembly of Machakos, forms permanent teams to be training occasionally not only for the CASA games but also for friendly matches with Executive staff members and other County Assemblies.
- ii. CASA games, being an annual event, the County Assembly of Machakos should plan and budget for the needs of participants in good time to avoid inconveniences.
- iii. The County Assembly also should source for experienced trainers, training grounds and good quality equipment's like balls, nets, rackets and other requirements at the right time to avoid inconveniencing the participants.
- iv. That the Machakos County Government, sets up a sports day or week where teams from the Executive arm of Government, County Assembly and teams from various

- wards across the County can participate in various sporting activities to promote unity and social interaction and also improve the spirit of integration and cohesion.
- v. That a reward system be put in place for the teams that went an extra mile to represent the County Assembly and I want to repeat Madam Speaker, a reward system be put in place for the teams that went an extra mile to represent the county so as to motivate both the MCAs and staff and enhance spirit of team work in relevant field.
 - vi. Players should not be requested to return uniform since they should be using the same to practice for the coming events.
 - vii. The uniform supplied should be of correct sizes since the measurements are taken in advance and also the samples should be availed ahead of time before uniforms are delivered.
 - viii. Mode of issuing the uniform should be checked. Members of the County Assembly should be served separately from the members of staff. This is basically to avoid congestion.

Madam Speaker, The Committee is grateful to this Honorable House through the office of the Speaker for the support granted in executing its mandate. The Committee wishes to sincerely thank the office of the Clerk Machakos County Assembly for facilitating and providing technical support to the Committee.

The committee also wishes to thank all players who really fought very hard in various disciplines and in addition, the chairperson of this committee takes this opportunity to thank all the Honorable members for availing themselves for CASA games and attending the event fully. Finally, the Committee on Education wishes to thank all members for understanding the financial implication during the CASA/KICOSCA games.

Madam Speaker, I wish to confirm that the recommendations of the Committee in this report were adopted by the Committee as undersigned by the respective members of the Committee.

Madam Speaker, there are names there with the members and they have countersigned. In conclusion Madam Speaker, It is therefore my pleasant duty and privilege, on behalf of the Education and Social Welfare committee to table this CASA/KICOSCA report to this honorable house for consideration. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Kiilu.

(Question proposed)

Hon. Angela.

Hon. (Ms.) Munyasya: Thank you, Madam Speaker. I propose that since this report is quite lengthy, self-explanatory and relevant that we just agree that, Madam Speaker, puts the question so that we can adapt it. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Hon. Kalumu.

Hon. Kalumu: Thank you, Madam Speaker. I just want to contribute on the report and the first this I will say is that I recommend my brother here, Hon. Kiilu for a good report that has shown what happened when we had the games in our County. I want to say, sports are good and one of the best paid people in this world are sportsmen and if we can invest in sports, we never know, many of us could be Hon. Members and another part they are hustling in another ways.

I want to say that this report has shown our weaknesses because this is one of the weaknesses that were shown on that day. We could see, like other Counties having lunch while for us we were just staring at them.

(Applause)

Think of a person like people like us who were doing tug of war; we needed to have ugali in the morning but we could not have that ugali because we did not have money.

(Laughter)

Madam Speaker, I want to recommend or to suggest that in the next games, we be provided with what can make us at least come with good trophies for this County. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kalumu. Hon. Museku.

Hon. Museku: Thank you, Madam Speaker. I think it is only good to first of all to appreciate Hon. Kiilu and his team for the very comprehensive report they have written on the KICOSCA games.

(Applause)

For those of us who participated in these games, I think what they have written here is a very close reflection of the things we went through during those games. We saw, like he has said, when we went for those games, personally I noted right from the quality of the uniforms we were putting on, Madam Speaker and this Hon. House.

(Applause)

Personally, I had to remove mine immediately after the first day and started putting a different shade because I realized people had quality uniforms, waheshimiwas had quality uniforms while we had uniforms which could not button up, the shoes are falling apart among others.

We would like as part of the recommendations which have come from here, I do not know which committee is supposed to be handling this but I think it is this specific committee on Youth, Social Welfare and Sports to take up this issue seriously and ensure that Hon. Members are given honorable uniforms.

(Applause)

That is part of what gives you the motivation to participate in these games. When we come to the issue of practice, I might not blame anybody because, Madam Speaker, we had just joined the House but once beaten twice shy. We need to come out with the facilities as recommended here, pool tables for those of us who play pool, dart boards for those who play darts and somewhere to practice table tennis for those of us who play table tennis so that we are better prepared in the next games.

You could see the kind of competition we were facing during those games are people who have been practicing together, are people who have been engaged together and therefore they could go far. For us even reaching quarter finals was by the grace of the Lord. So, we need really to practice and make sure we can effectively in sports represent the County Assembly of Machakos.

Per diem cannot be over emphasized. It is important for Members to be facilitated before the games.

(Applause)

With funds, because it is unfortunate that while Members of other County Assemblies seemed to be very organized, all what we were doing, myself and Hon. Mutiso is there was a guy there who was roasting a few sausages and we would go there and look at him to give us one or two so that we can be able to cheat our stomachs that we have eaten lunch because there was no money.

So, I think facilitation of *per diem* is important like the Hon. Members has also said to ensure that Members are comfortable in participating. You can imagine that we are lucky we were participating in Machakos. What if we had travelled to another County under those circumstances? It would have been a little bit tough.

So, again I thank the team for bringing out the key issues and we would request this House or the Committee of Youth, Culture and Sports to ensure that these recommendations are followed and resolved. Thank you so much, Madam Speaker.

Hon. Speaker: Thank you, Hon. Museku. Hon. Mulatya.

Hon. Mulatya: Thank you, Madam Speaker. Mine is to congratulate this Committee which is chaired by my brother Hon. Kiilu; it is a good report and I support but I just needed to add something small on the report because it is self-explanatory but Hon. Members and Madam Speaker, I think when they came to summarize the performance by the team, I think it was more wise to tell us, these were our champions so that at least next time we can be cheering them. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mulatya. Hon. Cosmus.

Hon. Masesi: Thank you, Madam Speaker. First, I want to congratulate this Committee for doing a wonderful job and my point of concern, firstly, I do not know whether the Chairman has forgotten but I doubt whether he was fully informed, and there was a full consultation on the preparation of these games. In many times, the Chairman was left out of the activities and I wonder whether he has left that point out.

Secondly, Madam Speaker, we are used as Hon. Members when we go on a retreat apart from the *per diem*, we normally have some breakfast and lunch and so I wonder whether the budget for the same accommodates all those issues.

Lastly, Madam Speaker, I remember when we were at Mombasa you said that Hon. Members or as an Assembly, we will be doing our own games. I do not know whether this was well captured apart from mixing us with those civilians, for the Assemblies only. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Cosmus. Hon. Mutiso.

Hon. P.J. Mutiso: Thank you, Madam Speaker. First of all, I want to congratulate that Committee under the leadership of Hon. Kiilu; they have come up with a good report which is almost 95 per cent, it is not 99 percent because there are some areas which they have left. One, the attire; I apologize on behalf of the Member that is Hon. Kiilu because some people could not get their attire.

For example, I apologize to Madam Alice, she could not get anything and also Hon. Kituku could not get anything. Even myself I think I was running without shoes and I am still waiting for them because I was not to wait up to now. That was a problem, Madam Speaker, and we could do better but because of these things that we were lacking we could not do anything.

So, in future let the procurement department be serious on this matter because the uniform was bad. It was actually *mitumba* type and that is what I could say. So, I congratulate that team because of that good work but in future let us be serious on this and let us be involved in some areas before they are done because sometimes we could not get water or even milk but other Counties, I could see them sharing with our team, milk and glucose.

Imagine glucose of Ksh. 20, we could not afford it and that was embarrassing. Madam Speaker, I also congratulate some Members like Hon. Dominic, he did us a good job.

(Applause)

Because on relay, I called him and I was with him and we came out with two gold medals, one for 4x400 metres and another 4 x100 meters. So, that was good, I cannot mention everyone, be appreciated each and every one of you who participated but let us practice as from this time now. We should not wait until we come to the D-day.

There was a request which was asked by Hon. Masesi, I think you may be having some information, you can tell them about it. We had a request that we separate KICOSCA and CASA because---

(Applause)

I think marathon, I was the first in CASA but I was removed because I was surrounded by that international man, the dreadlocks man, I was number one and I would have brought a gold but I was removed in the seventh round because we were to go 24 rounds. So, there is need to separated KICOSCA and CASA. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you. Hon. Jeremiah.

Hon. Munguti: Thank you, Madam Speaker. First, I would like to applaud the Committee which has come up with this report and much has been said but I will dwell on motivation. I was the team captain for volleyball which we did a very recommendable job but to our surprise is that we were competing with Nairobi County and every game that they won, each player was given Ksh. 5,000 for motivation.

(Applause)

I think this is what we should emulate for the Members to be motivated during these sports. Also something which I observed and which I want our Assembly to emulate is that all events must be included. There were some events which were not there like Hon. Mutiso who is good in draughts. I am also good in high jumping and my record is there in books. When I was in High School and College I managed to attain position one with a height of 2.5 meters. I can now as well do the same. So, I am requesting this House to include all the events during the games.

The other issue is about the attire which we were wearing. As many have said, it was of poor quality and I think the blame can just squarely go to the procurement department. I am requesting the House that proper procedures be followed and if possible before the uniforms are supplied to the Members, samples be brought for verification so that we can ascertain that those are the right uniforms that we want so that Members can have what is right with them.

Otherwise, I commend this and thank you, to the Chairman who has done this. Thank you, Madam Speaker.

Hon. Speaker: Hon. Members. Hon. Kituku.

Hon. Kituku: Thank you, Madam Speaker. Mine goes to the Hon. Members, as far as this report is concerned, we need to also be committed when it comes to practice because when I remember what happened in the tug of war, you left me standing---

(Laughter)

And you know what happened to the other Members but I had some skills but a number of you just pulled the rope anyhow but you can remember what happened to you. So, when it comes to practice let us also be very serious about it. Next time round, I will make sure that you do not fall.

(Laughter)

The other issue goes to the department of procurement. Hon. Peter has just said that a number of us did not get our sizes and up to now I am waiting for my shoes though the shoes were substandard; you cannot even give them to a needy person because it will be like mockery. So, that one needs to be improved, we need to wear things that resemble our honourable positions.

The other issue is that, the activities that we were in, we did well but the whole process was not very motivating because you know what happened but we believe that, that thing is going to be taken care of well. Otherwise, I support that report. Thank you.

Hon. Speaker: Hon. Minority Leader, Alex Kamitu.

Hon. Kamitu: Thank you, very much Madam Speaker. Madam Speaker, let me first of all appreciate our good Hon. Kiilu for having made this report and I just want to put some few remarks because as we normally say, most of these things have been captured in this report. However, as Hon. Members, I sometimes tell you, that I have some experience in regard to games activities and the likes and the most important aspect in games is the game discipline.

Game discipline includes individual effort in regard to fitness. Madam Speaker, yes we are aware that we just came in and we found the calendar of the games being near but what it entails for us to be winners, is the question of every individual Member has to commit himself or herself in regards to training, in regards to reading. Each discipline has got its own rules; so unless we follow those rules, unless you know the discipline rules, you cannot achieve much as much as you would like.

So, now that it was just the beginning, I am only cautioning Hon. Members because when we talk about games, it is flag-bearer of an image of every County. So, Madam Speaker, it will be most important for us next time that we hear Machakos County becoming number one in all the disciplines.

So, what am I saying? We must be prepared, we must be committed and we must give ourselves time because, we as Hon. Members, we have time to follow the Assembly Calendar. What are we saying? Is that after the sessions or the plenary, we have to commit ourselves in the evening and I am talking about time management. So, even in future, if we will not commit ourselves in regard to time management and follow the discipline rules, as much as we would like to do, we will not come together as a team.

So, Madam Speaker, I would urge the Hon. Members that next time let us be prepared, time management, put yourself in a condition that during the games you will not injure yourself by being unfit. So, Madam Speaker, I will also urge as some of the remarks that have been made and prior after getting the calendar of the games, it is important that the procurement officers should come to each individual Member to get the right sizes for the uniforms, for the shoes---

(Applause)

Everything because it is very wrong that for example if you wear a shoe number nine and you are given a shoe that is number eight, you will not be able to perform comfortably. So, in this regard Madam Speaker, it is good that the committee under Hon. Kiilu have really given us the pane picture where we were supposed to have won our weaknesses and so next time we should improve on the weaknesses for us to be a County of winners. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Hon. Members, thank you, Hon. Kamitu.

(Question put and agreed to)

Hon. Members, let me just make a few comments particularly on this report. I keep telling you that I am not allowed to participate in the debate and I wish I could but I cannot by the rules of this House but after you have made your resolution, I can make some comments by way of providing guidance.

I must commend all the Members of this House including those who participated and those who did not participate. It was a very difficult time. Hon. Members, when the debate was going on, I kept on hoping that one of you would come up with the point of information that those games were held during difficult times for the Assembly, we did not have funds and that is when the Executive had declined to give us funds and that is what prompted us to go to Court and every time in Court, we were telling the Court that there is Ksh. 11 million; that was the money for CASA games.

So, I felt it that you had to look at other Assemblies as they ate and as they took glucose and water and you did not have and I believe you did not see me much in the field. I was feeling very frustrated at that particular time and so, even for the little water we got, we had to organize and borrow some little money from somewhere to get you water.

I can assure you that going forward, things will be different and all the support that the Members need will be given to continue participating in those games and also to have sufficient practice.

(Applause)

The other issue I have picked in the discussion is about CAF and separating matters of CASA and KICOSCA and Hon. Mutiso and Hon. Pauline who sit in CAF Governing Committee will confirm that the plans have been put in place to separate CASA from KICOSCA games because of what you went through.

(Applause)

And all is improving the performance of the County Assemblies in these games and making you feel that you belong.

Finally, on procurement, I have heard many complains about the uniform; this is not the first time it is coming up but let me inform you that this is a matter that came before the Board and the Board has asked for a report on the procurement of those games kit, the uniform and the shoes and the Board will in due course give a report to this House.

(Applause)

ADJOURNMENT

Hon. Speaker: Hon. Members, at this point the House is adjourned to resume its sitting on 21st day of February, 2018, at 10.00 a.m. That is tomorrow, Wednesday. Good evening.

The House rose at 4.30 p.m.